

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

STACY HINNERS, <i>et al.</i> ,	)	Case No. 1:19-cv-2868
	)	
Plaintiffs,	)	Judge J. Philip Calabrese
	)	
v.	)	Magistrate Judge Thomas M. Parker
	)	
MICHAEL J. O'SHEA, <i>et al.</i> ,	)	
	)	
Defendants.	)	
	)	

**AMENDED ORDER TO SHOW CAUSE**

The Court **ORDERS** Defendant Kevin Koehler to show cause why he should not be sanctioned under Rule 16(f) of the Federal Rules of Civil Procedure for failure to comply with the Court's Orders dated July 11, 2023 (ECF No. 105) and August 16, 2023 (ECF No. 110).

On May 16, 2023, the Court scheduled a case management conference in this matter for July 12, 2023, which amounts to approximately 60 days' notice. (ECF No. 99.) On July 11, 2023, Mr. Koehler moved to excuse his in-person presence at the case management conference on the grounds that he was out of the State or, in the alternative, to continue the conference. (ECF No. 103.) The Court continued the conference to August 17, 2023, a date on which Mr. Koehler through counsel indicated he was available to attend the case management conference. (ECF No. 105; Notice, July 19, 2023.) Mr. Koehler again moved to excuse his in-person appearance at the case management conference on August 15, 2023, just two days before the conference.

(ECF No. 108.) The Court denied Mr. Koehler's request and ordered him to appear.

(ECF No. 110.) He did not do so.

The Court schedules a show cause hearing in person on the record on October 16, 2023 at 3 p.m. eastern time in Courtroom 16B, Carl B. Stokes United States Courthouse, Cleveland, Ohio and **ORDERS** Mr. Koehler to appear in person.

Additionally, the Court **ORDERS** Mr. Koehler to submit a brief no later than October 9, 2023 addressing the appropriate sanction for his noncompliance, including the propriety of striking his qualified immunity defense as a sanction. Should Plaintiffs wish to be heard concerning the appropriate sanction, they may submit a brief no later than October 13, 2023.

**SO ORDERED.**

Dated: September 5, 2023

A handwritten signature in black ink, appearing to read 'J. P. Calabrese', is written above a horizontal line.

J. Philip Calabrese  
United States District Judge  
Northern District of Ohio